

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

EDWARDS LIFESCIENCES AG and  
EDWARDS LIFESCIENCES LLC,

Plaintiffs,

v.

COREVALVE, INC. and  
MEDTRONIC COREVALVE, LLC

Defendants.

C.A. No. 08-091-GMS

**DEFENDANTS' PROPOSED VERDICT FORM**

We, the jury, having duly deliberated on the evidence presented by the parties,  
answer the interrogatories posed by the Court as follows:

**I. PATENT INFRINGEMENT**

**QUESTION 1:**

Has Edwards proven by a preponderance of the evidence that the CoreValve Generation 3 ReValving System literally infringes Claim 1 of the '552 Patent?

YES \_\_\_\_\_ (for Edwards)      NO \_\_\_\_\_ (for CoreValve)

**If you answered "yes" to Question 1, go to Question 3.**

**If you answered "no" to Question 1, go to Question 2.**

**QUESTION 2:**

Has Edwards proven by a preponderance of the evidence that the CoreValve Generation 3 ReValving System infringes Claim 1 of the '552 Patent under the Doctrine of Equivalents?

YES \_\_\_\_\_ (for Edwards)      NO \_\_\_\_\_ (for CoreValve)

**If you answered "yes" to Question 2, go to Question 3.**

**If you answered "no" to both Questions 1 and 2, go to Question 4.**

**II. WILLFUL PATENT INFRINGEMENT**

**QUESTION 3:**

Has Edwards proven by clear and convincing evidence that CoreValve's infringement of Claim 1 of the '552 Patent was willful?

YES \_\_\_\_\_ (for Edwards)

NO \_\_\_\_\_ (for CoreValve)

**Please go to Question 4.**

**III. PATENT VALIDITY**

**QUESTION 4:**

Has CoreValve proven by clear and convincing evidence that Claim 1 of the '552 Patent is invalid because it is not enabled?

YES \_\_\_\_\_ (for CoreValve)

NO \_\_\_\_\_ (for Edwards)

**Please go to Question 5.**

**IV. EDWARDS' DAMAGES**

**If you found that CoreValve has infringed Claim 1 of the '552 Patent (either literally or under the Doctrine of Equivalents), and that CoreValve did not prove that Claim 1 of the '552 Patent is invalid, you must decide the amount of damages adequate to compensate Edwards for CoreValve's infringement.**

**QUESTION 5:**

If you believe that Edwards has proven by a preponderance of the evidence that it is entitled to lost profits for a portion of CoreValve's infringing sales, please enter the amount of lost profits:

Answer: \$ \_\_\_\_\_

**QUESTION 6:**

For those CoreValve infringing sales for which you did not award Edwards lost profits, what is the amount of reasonable royalty to which Edwards is entitled?

Answer: \$ \_\_\_\_\_

**QUESTION 7:**

In answering Question 6, please state the royalty rate you applied.

Answer: \_\_\_\_\_ %

**QUESTION 8:**

In answering Question 6, please state the date for the hypothetical negotiation you used.

Answer: \_\_\_\_\_

Dated: April \_\_, 2010

\_\_\_\_\_  
Foreperson

**CERTIFICATE OF SERVICE**

I, Karen E. Keller, Esquire, hereby certify that on April 1, 2010, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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I further certify that on April 1, 2010, I caused a copy of the foregoing document to be served by e-mail on the above-listed counsel of record and on the following non-registered participants:

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